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In re Application of
Jarman
Application No. 09/695,102
Filed: October 23, 2000
Attorney Docket No. 34307/US

NOTICE

This is a notice regarding your November 29, 2004 request for acceptance of a fee deficiency submission under 37 CFR 1.28(c).

On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**. Office records have been altered to show that you are no longer a small entity.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3230.

This file is being forwarded to Technology Center AU 2611.

E. Shirene Willis
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy